

Office of Director School Education (Secondary) Punjab, Complex Punjab School
Education Board, Block-E, Phase-8, SAS Nagar.
(Establishment-1 Branch)

Order No. E-1011644

Order dated-

1.0 Maninder Singh, aged about 38 years, son of Bagicha Singh, resident of Ucha Gilla, Haru
Chhina, Amritsar, Punjab and 31 others, had filed Civil Writ Petition No. 22028 of 2023 in the
Hon'ble Punjab and Haryana High Court with the prayer for issuance of a writ in the nature of
mandamus directing the respondents to grant the statutory pay scale as per 2009 Rules Annexure
P-5 i.e. Rs. 10300-34800 (Grade Pay of Rs. 5000/- later on Grade pay vide letter dated
27.02.2012 Annexure P-6 from entry into service along with arrears at interest rate of 12%
thereon (the petitioners demand 6th pay scale/ Commission, of Punjab State Government) and
with a further prayer that issue a writ in nature of Mandamus directing the Respondents to take
into account the statutory pay scale of Rs. 10300-34800 Grade Pay of Rs. 5000/- later on Grade
pay increased to 10300-34800 + Grade pay vide letter dated 27.02.2012 Annexure P-6 with
future pay Revisions.

2.0 The Hon'ble Punjab and Haryana High Court disposed of the petition vide order dated
01.08.2025. The operative portion of the order is reproduced as below:-

*In view of the above and without commenting upon the merits of the case these
petitioners are hereby disposed of with a direction to the respondents to decide the
representation dated 07.02.2025, taking note of the aforesaid judgment, within a period of 6
months, which this court has no reason to believe the authorities would not address in a just, fair
and reasonable manner. Upon doing so, after notice and hearing offered to them and if entitled
grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same
shall contain reasons and the petitioners shall be free to seek legal redress thereupon.*

In Compliance with the above said orders of the Hon'ble Court, the petitioners were
afforded opportunity of personal hearing on dated 28.01.2026 in this Directorate. The petitioners
who attended personal hearing submitted their representation in line with the prayer of their writ.

I have examined the representation dated 07.02.2025 and the claim raised by the
petitioners during personal hearing and has also considered the order of Hon'ble Court in CWP
No. 15896 of 2023 titled as Saurabh Sharma and others versus State of Punjab and another in
which it was held that all candidates appointed under the same recruitment process are entitled to
equal pay as per the 2016 Rules regardless of actual appointment date in terms of which the
present Petition has been disposed of. The relevant portion of the judgment in CWP No. 15896
of 2023 followed in Saurabh Sharma's case is as under:-

*"At this stage, learned counsel for the petitioners submit that though the
petitioners have claimed interest but keeping in view the fact that they are only
interested in the pay scale as entitled to them under 2016 Rules, they are not
pressing their claim for the grant of interest..."*

The services of petitioners are governed by the "The Punjab Educational (Teaching
Cadre) Group C Service Rules, 2018." Rule 5 of the said rules provide that, "The members of the
Service shall be entitled to such scales of pay as may be authorized by the Department of
Finance from time to time. Accordingly, the approval is hereby accorded to fix the pay of the
petitioners as per the above mentioned 2018 Rules. Further, according to the Punjab Civil
Services (Revised Pay) Rules, 2021 notified by the State of Punjab vide notification No.
09/01/2021-SFP1/671 dated 05.07.2021, these pay scales are not applicable to employees
recruited on or after 17.07.2020. The relevant part of the said rules is reproduced below:

"2(2) They shall not apply to the- (b) Government employees recruited in the
service of the State of Punjab or the Punjab Vidhan Sabha on or after 17.07.2020, on whom pay
scales on the pattern of the Government of India are applicable."

As per above provision made in the rules the pay scales as per 6th Punjab Pay
Commission are not applicable to the petitioners in this case.

Subsequently, in compliance of the orders of the Hon'ble High Court in matters related to
Saurabh Sharma's case, Department of Finance, Punjab has issued instruction dated 05.01.2026,
wherein it has been decided to grant the pay scale to the petitioners/employees which are more
beneficial to them. The relevant part of the instruction dated 05.01.2026 is reproduced here
under:

5. Decision of Government

5.1 After examination, the Government has decided that re-fixation of pay in cases
decided on the basis of the judgment in Saurabh Sharma & Ors. vs. State of Punjab
& Ors. shall be undertaken as under:

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A Cases where Departmental Pay Scale is Lower than 7th CPC Pay Scale

Where the pay fixed under the Departmental Service Rules (as applicable on the date of appointment) is lower than the pay scale notified on the pattern of the 7th CPC, the pay shall be fixed strictly as per the 7th CPC pay scale, being more beneficial to the employee.

Such cases are already covered under Finance Department letter dated 30.10.2025 and shall not require further re-fixation. This category includes:

- Employees governed by departmental rules mentioning pre-5th PPC pay scales, and
- Most employees governed by departmental rules mentioning pre-revised 5th PPC pay scales.

B. Cases where Departmental Pay Scale is Higher than 7th CPC Pay Scale

Where the pay fixed under the Departmental Service Rules is higher than the pay scale notified on the pattern of the 7th CPC, re-fixation shall be carried out as under:

i) Employees not covered under instructions dated 15.01.2015

For employees to whom Finance Department letter No. 7/204/2012-4FP1/66 dated 15.01.2015 is not applicable, and where the salary (Basic Pay + DA*) under Departmental Rules exceeds the salary (Basic Pay+DA**) under the 7th CPC:

- The salary under the Departmental Rules shall be taken as the basis.
- The corresponding basic pay shall be fixed at the same stage, or if not available, at the next higher stage in the 7th CPC pay level notified for the post.

(DA rates shall be applied strictly in accordance with Annexure 'A' as clarified in the earlier instructions.)

Illustration: Annexure 'B'

ii) Employees covered under instructions dated 15.01.2015

- During the probation period, if the minimum pay in the pay band under Departmental Rules is lower than Cell-1 of the 7th CPC pay level, pay shall be fixed at Cell-1, being more beneficial.
- If such pay is lower than applicable DC rates, DC rates shall apply.
- On successful completion of probation, pay shall be fixed strictly as per Para A or Para B(i), as applicable."

Accordingly, in compliance of the orders dated 01.08.2025 passed by the Hon'ble High Court and in light of the above said directions dated 5-1-2026 issued by the competent authority, i.e., the Department of Finance, Punjab, the pay of the petitioners be re-fixed strictly as per instructions contained in para 5 of the said instructions dated 05.01.2026.

Gurinder Singh Sodhi, P.C.S
Director School Education (Secondary),
Punjab

Endst. No. Even / 202654237-39

dated: 25/02/2026

A copy of the above is sent to the following for information and necessary action:-

1. Secretary to Government of Punjab, Department of School Education (Education-5 Branch), Civil Secretariat (II, Sector-9), Chandigarh.
2. Concerned District Education Officers (S) to fix the pay of the petitioner's after getting it verified from the Section Officer/DCFA and send the report to this directorate.
3. Concerned Petitioners as per List through D.E.O (SE/EE).

Assistant Director (Establishment-3)

Handwritten notes and signatures in Gurmukhi script, including dates like 02/03/2026 and various official stamps and signatures.